

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DEMETRIUS DOZIER

Petitioner

v.

GERALD ROZUM, et al.

Respondents

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CIV. NO. 09-1557

ORDER

AND NOW, this 30th day of September, 2009, upon independent consideration of the Petition for Writ of Habeas Corpus, the Response thereto, and after review of the Report and Recommendation (“R&R”) of United States Magistrate Judge Henry Perkin dated August 28, 2009, to which no objection has been filed, it is **ORDERED** that:

1. the R&R is **APPROVED AND ADOPTED**;
2. the Petition for Writ of Habeas Corpus is **DENIED** with prejudice and **DISMISSED** without an evidentiary hearing; and
3. There is no probable cause to issue a certificate of appealability.

The Clerk of the Court shall close this case for statistical purposes.

IT IS SO ORDERED.

/s Paul S. Diamond

Paul S. Diamond, J.